

Carlos Hernández
Mayor

Luis Gonzalez
Council President

Katharine E. Cue-Fuente
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano

City Council Agenda October 11, 2016 7:00 P.M.

Call to Order

Roll Call

Invocation given by Marbelys Fatjo, City Clerk

Pledge of Allegiance led by Council President Gonzalez

Meeting Guidelines

The following guidelines have been established by the City Council:

➤ **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

Presentations –

1. Announcement of Amendments/Corrections to the Agenda –
2. Consent Agenda-

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on September 27, 2016. (OFFICE OF THE CITY CLERK)
- B. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Unique Concrete System Corp., vendor providing the lowest quotation, for decorative concrete topping for exterior walkways for the JFK Library, in a total cumulative amount not to exceed \$44,625. On September 27, 2016 the City Council approved to reject Hialeah Bid # 2015/16-3230-00-020 – *JFK Library – Decorative Concrete Topping, for Exterior Walkways*, and obtain quotations for this project. (CONSTRUCTION & MAINTENANCE DEPT.)
- C. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to All Uniform Wear Corp, vendor providing the lowest quotation, for uniforms for fire personnel, in an amount not to exceed \$24,000, and further request permission to issue a second purchase order to the same vendor, for uniforms for dispatch personnel, in an amount not to exceed \$5,000, for a total cumulative amount not to exceed \$29,000. (FIRE DEPT.)
- D. Request permission to issue a purchase order to K & G Associates, Inc., sole source vendor, for Mobile Eyes Software Maintenance fee agreement, effective October 1, 2016 through September 30, 2017, which provides technical support for the City's current Fire Prevention Program used to manage the Fire Inspection Reporting System, in a total cumulative amount not to exceed \$18,307. (FIRE DEPT.)
- E. Request permission to issue two (2) purchase order to Municipal Emergency Services, Inc., sole source vendor, to provide Target Solutions, an educational training website for Fire Fighters-Paramedics and dispatch in order for personnel to complete training courses online to be compliant with Insurance Service Organization and Department of Health requirements, purchase order one in an amount not to exceed \$18,635 for fire, and purchase order two in an amount not to exceed \$5,323 for dispatch, in a total cumulative amount not to exceed \$23,958. (FIRE DEPT.)
- F. Request permission to utilize City of Miami Contract No. 3143-9/18-8 – *Gasoline and Diesel Fuel*, since it is advantageous to the City, and issue a purchase order to Mansfield Oil Company of Gainesville, Inc., awarded by the City of Miami and under contract through April 30, 2017, to purchase gasoline and diesel fuel, in a total cumulative amount not to exceed \$1,000,000. (FLEET MAINTENANCE DEPT.)
- G. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Jorge Luis Leon Car Wash, Inc., for the service of washing City Transit Buses, in a total cumulative amount not to exceed \$35,000. (FLEET MAINTENANCE DEPT.)
- H. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Jorge Luis Leon Car Wash, Inc., for the service of washing City vehicles, in a total cumulative amount not to exceed \$35,000. (FLEET MAINTENANCE DEPT.)

- I. Request permission to utilize Miami-Dade County Bid No. 8193-0/12 – *Automotive Vehicles – Prequalification*, awarded by Miami-Dade County and under contract through January 31, 2019, and issue a purchase order to Miami Lakes AM, LLC, to purchase Chevrolet parts and accessories for City vehicles, in a total cumulative amount not to exceed \$40,000. (FLEET MAINTENANCE DEPT.)
- J. Request permission to utilize Miami Dade County Bid No. 5745-2/14-2 – *Parts/SVCS for Buses & SUP Equip-Prequal*, awarded by Miami Dade County and under contract through March 31, 2020, and issue a purchase order to Electric Sales and Service, Inc., to purchase starters and alternators for City trucks and vehicles, in a total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.)
- K. Request permission to utilize Miami Dade County Bid No. 5745-2/14-2 – *Parts/SVCS for Buses & SUP Equip-Prequal*, awarded by Miami Dade County and under contract through March 31, 2020, and issue a purchase order to Hunt Incorporated d/b/a Thermo King of Miami, for air-conditioning repairs for rescue vehicles, in a total cumulative amount not to exceed \$40,000. (FLEET MAINTENANCE DEPT.)
- L. Request permission to utilize State of Florida Contract No. 25172500-2-WSCA-15-ACS – *Tires, Tubes and Services*, awarded by the State of Florida and effective through March 31, 2019, and issue a purchase order to U.S. Venture of Wisconsin, Inc. d/b/a US Auto Force, to purchase tires for City vehicles, in a total cumulative amount not to exceed \$60,000. (FLEET MAINTENANCE DEPT.)
- M. Request permission to utilize Miami Dade County Bid No. 2121-2/13-2 – *Fire Rescue Replacement Equip-Prequal*, awarded by Miami Dade County and under contract through February 28, 2019, and issue a purchase order to Ten-8 Fire Equipment, Inc., to purchase emergency parts and accessories for City vehicles, in a total cumulative amount not to exceed \$55,000. (FLEET MAINTENANCE DEPT.)
- N. Request permission to issue a purchase order to Infor Public Sector, Inc., sole source vendor, for the maintenance and support of Human Capital Management System for fiscal year 2016-2017, in a total cumulative amount not to exceed \$73,378.48. (INFORMATION TECHNOLOGY DEPT.)
- O. Request permission to issue a purchase order to Avaya Inc., for the annual support and maintenance of the City Hall and North Compound phone system, in a total cumulative amount not to exceed \$33,651.60. This is the second year of a three year contract approved by the City Council on October 13, 2015. (INFORMATION TECHNOLOGY DEPT.)
- P. Request permission to issue a purchase order to Infor Public Sector, Inc., sole source vendor, for the maintenance and support of the Police and Fire Computer Aided Dispatch and Records Management Systems for the fiscal year 2016-2017, in a total cumulative amount not to exceed \$278,114.72. (INFORMATION TECHNOLOGY DEPT.)
- Q. Request permission to utilize State, County or other governmental agency contracts for the purchase of budgeted professional services, software, infrastructure, and computer

equipment, without additional City Council approval. (INFORMATION TECHNOLOGY DEPT.)

- R. Request permission to waive competitive bidding, since it is advantageous to the City, and renew the Professional Services Agreement with ADF Consulting, LLC, for a period of one year, commencing on October 1, 2016 and ending on September 30, 2017, for governmental affairs consulting, in a total cumulative amount not to exceed \$45,000, inclusive of registration fees, costs and expenses, payable in equal monthly installments. (OFFICE OF THE MAYOR)
- S. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Super Landscape & Maintenance, Inc., in that this vendor has agreed to honor the same prices from Hialeah Request for Qualifications No. 2011/12-3210-12-010 – *Ground Maintenance*, for ground maintenance for fiscal year 2017, in a total cumulative amount not to exceed \$300,000. Request for Qualifications # 2011/12-3210-12-010 was awarded to this vendor by the City Council on September 25, 2012 for one (1) year with two additional one year renewals which ended on September 30, 2015. (DEPT. OF PARKS & RECREATION).
- T. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the same unit prices from Hialeah Request for Qualifications No. 2011/12-3210-12-010 - *Grounds Maintenance*, and issue a purchase order to General Mow, LLC, for the right-of-way maintenance of Section 1 for fiscal year 2016-2017, in a total cumulative amount not to exceed \$54,240. (STREETS DEPT.)
- U. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the same unit prices from Hialeah Request for Qualifications No. 2011/12-3210-12-010 - *Grounds Maintenance*, and issue a purchase order to VisualScape, Inc., for the right-of-way maintenance of Section 3 for fiscal year 2016-2017, in a total cumulative amount not to exceed \$83,998. (STREETS DEPT.)
- V. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the same unit prices from Hialeah Request for Qualifications No. 2011/12-3210-12-010 - *Grounds Maintenance*, and issue a purchase order to General Mow, LLC, for the right-of-way maintenance of Section 2 for fiscal year 2016-2017, in a total cumulative amount not to exceed \$79,000. (STREETS DEPT.)
- W. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the same unit prices from Hialeah Request for Qualifications No. 2011/12-3210-12-010 - *Grounds Maintenance*, and issue a purchase order to VisualScape, Inc., for the right-of-way maintenance of Section 4 for fiscal year 2016-2017, in a total cumulative amount not to exceed \$114,900. (STREETS DEPT.)
- X. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the same unit prices from Hialeah Request for Qualifications No. 2011/12-3210-12-010 - *Grounds Maintenance*, and issue a purchase order to Mystic Gardens Lawn Services Inc, for the right-of-way maintenance of Section 5 for

fiscal year 2016-2017, in a total cumulative amount not to exceed \$66,590. (STREETS DEPT.)

Y. Request permission to utilize Miami Dade County Bid No. 8318-5/17-5 – *Petroleum Products – Prequalification*, awarded by Miami Dade County and under contract through December 31, 2017, and issue a purchase order to Tropic Oil Company, to purchase oil and lubricants for City vehicles, in a total cumulative amount not to exceed \$110,000. (FLEET MAINTENANCE DEPT.)

Z. Proposed resolution designating vacant land for use as a passive park located at West 49th Street and 20th Avenue, in Hialeah, Florida, providing for an effective date. (ADMINISTRATION)

AA. Proposed resolution approving a joint participation agreement between Miami-Dade County and the City of Hialeah, for the improvement of Northwest 97 Avenue from Northwest 154 Street to Northwest 170 Street, in an amount not to exceed \$4,289,289.00, and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the joint participation agreement, a copy of which is attached hereto and made a part hereof as Exhibit “1”. (STREETS DEPT.)

BB. Proposed resolution approving a budget amendment to the City of Hialeah Action Plan for fiscal year 2010-2011, 2011-2012, 2012-2013, 2013-2014, 2015-2016 and authorizing the Mayor or his designee to execute and implement a budget amendment to the City of Hialeah Action Plan for fiscal years, 2010-2011, 2011-2012, 2012-2013, 2013-2014, 2015-2016 to reallocate unexpended funds of fiscal years 2010 through 2015 of \$2,408,362.00 under the Home Investment Partnership Act Program to fund approved home projects during program year 2016-2017 and authorizing the Mayor or his designee to execute any and all amendments, certifications and assurances in furtherance of the program under US HUD Regulations. (DEPT. OF GRANTS AND HUMAN SERVICES)

- 3.** First reading of proposed ordinance amending Chapter 98 entitled “Zoning”, Article V. Zoning District Regulations, of the Code of Ordinances of the City of Hialeah, and in particular, adding a new Division 26 entitled “Transit Oriented Development District”, providing for a purpose; providing for goals and objectives; creating the Hialeah Transfer Station Sub-District and the Hialeah Market Station Sub-District; providing for implementation concepts; providing for permitted uses; establishing development standards; establishing building uses, design concept requirements, height and density incentives and bonuses; creating a parking improvement trust fund; and further providing for an order of precedence and reference to the master plan; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the code; providing for an effective date. (PLANNING AND ZONING)

Item was approved by the Planning and Zoning Board on September 28, 2016.

- 4.** Board Appointments –
- 5.** Unfinished Business –
- 6.** New Business –

7. Comments and Questions-

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

ZONING

- PZ 1.** Second reading and public hearing of proposed ordinance rezoning property from R-3-2 (Multiple Family District) to R-3-3 (Multiple Family District) and granting a variance permit to allow 13 parking spaces, where 15 parking spaces are required, to allow a front setback of 7 feet, where 25 feet are required, to allow a green area of 28.8 %, where a minimum of 30% is required, and to allow a 5-foot landscaped buffer, where 7 feet are required, contra to Hialeah Code §§ 98-2189(19) b, 98-589, 98-2056(b)(1), and the City of Hialeah Landscape Manual (July 9, 2015) Section (D) Subsection (7). **Property located at 20 West 40 Place, Hialeah, Florida.** Providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Global Dunamis c/o Andres Guariguata*)

<i>Item was approved by the City Council on first reading on September 27, 2016. Second reading and public hearing was scheduled for October 11, 2016.</i>

<i>Item was approved by the Planning and Zoning Board on September 14, 2016.</i>

<i>Planner's Recommendation: Approval with green area request amended from 23.79% to 28.8%.</i>

<i>Property Owner: Global Dunamis LLC</i>

- PZ 2.** Second reading and public hearing of proposed ordinance granting a variance permit to allow a LED Reader Board Wall Sign on property zoned M-1 (Industrial District) outside the geographic area where LED signs are permitted, having a distance of 200 feet from residential-zoned properties, where a minimum of 300 feet radius is required, and allow a sign area of approximately 21% of the façade wall, where a maximum of 8% is allowed, contra to Hialeah Code §§ 74-149 (b), 74-215(a)(1), and 74-149(e). **Property located at 1000 Hialeah Drive, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*James Stice in representation of the property owner*)

<i>Item was approved by the City Council on first reading on September 27, 2016. Second reading and public hearing was scheduled for October 11, 2016.</i>

<i>Item was approved by the Planning and Zoning Board on September 14, 2016.</i>

<i>Planner's Recommendation: Approval</i>

<i>Property Owner: 1000 Hialeah Partner, LLC</i>
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- PZ 3. First reading of proposed ordinance allowing a variance permit to allow a pervious area of 24.2% (minimum of 30% required), parking setback of 51'2" (minimum of 55' required for residential developments); for building a, front setback of 5.2' (minimum of 10' required) and west side of 2" (5' required), property located at **226 East 7 Street, Hialeah**, zoned R-3-D; contra to Section §§ 98-641(a), 98-641(b), § 98-641(g), § 98-2056(b)(1); Hialeah Code of Ordinances; repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Fabulous Four, Inc.*)

<i>Item was approved by the Planning & Zoning Board on September 28, 2016.</i>
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<i>Planners Recommendation :Approval</i>
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<i>Property Owner: Fabulous Four Inc., 246 East 7th Street, # 1, Hialeah, Florida 33010</i>
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- PZ 4. Recommendation of denial by the Planning and Zoning Board of granting a variance permit to allow replatting of property into two substandard lots and allow the construction of a single family residence on each lot, lot 1 having a frontage of 51.3 feet, more or less, and total area of 5,130 square feet, and lot 2 having a frontage of 47 feet, more or less, where 75 feet is required for each, and total area of 4,700 square feet, where 7,500 square feet is required for each, for property located at **1421 East 6 Court, Hialeah**, zoned R-1 (One Family District). (*Applicant: Lumination Homes, LLC*)

<i>Item was denied by the Planning and Zoning Board on September 28, 2016.</i>
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<i>Planners's Recommendation: Approval with conditions</i>
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<i>Property owner: Lumination Homes, LLC, 1474-A West 84 Street, Hialeah, FL 33014</i>
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NEXT CITY COUNCIL MEETING: Tuesday, October 25, 2016 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, November 8, 2016 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).